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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/525,595	03/14/2000	Asawaree P. Kalavade	5	7955

7590 07/15/2003

Docket Administrator (RM 3C-512)  
Lucent Technologies Inc  
600 Mountain Avenue  
PO Box 636  
Murray Hill, NJ 07974-0636

EXAMINER

DINH, KHANH Q

ART UNIT	PAPER NUMBER
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2155

DATE MAILED: 07/15/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

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## Office Action Summary

Applicati n N .

09/525,595

Examiner

Khanh Dinh

Applicant(s)

KALAVADE, ASAWAREE P.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 18 March 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-40, 42-46 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-40 and 42-46 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_ 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

1. This is in response to the Amendment filed on 3/18/2003. Claim 41 is canceled. Claims 1-40 and 42-46 are presented for examination.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 1-40 and 42-46 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by Sicher et al US pat. No.6,385,195.

As to claim 1, Sicher discloses a method for accepting streamed media packets sent from a content provider and converting it to a pulse code modulate signal stream

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comprising: receiving, via a first interface (14 fig.2), a request for a specified media content available from said content provider (see abstract, col.3 line 14-58 and co1.4 line 47 to col.5 line 20).

establishing, responsive to receipt of said request, a session with said content provider to receive said streamed media packets corresponding to said specified media content and transcoding said streamed media packets to form a PCM signal stream corresponding to said specified media content (see co1.5 line 21 to col.6 line 61).

As to claim 2, Sicher discloses launching said PCM signal stream onto a network operable to convey said PCM signal stream (see fig.3, co1.6 line 27 to co1.7 line 67).

As to claims 3 and 4, Sicher discloses launching step is performed over a circuit-switched line interface and signal stream from said network using a client device (see co1.6 line 27 to co1.7 line 61 and col.8 lines 27-61).

As to claims 5-7, Sicher discloses client device is a telephone, a wireless device or a cellular phone (see col.14 line 33 to co1.5 line 55).

As to claims 8-11, Sicher discloses said network is a circuit-switched network, a wired telephony network, wireless telephony network and a cellular network (see col.4 lines 32-55).

As to claims 12-14, Sicher discloses said cellular network is CDMA, TDMA and GSM network (see col.4 line 33 to col.5 line 55).

As to claims 15 and 16, Sicher discloses said specified media content is audio content and video content (see col.4 line 33 to co1.5 line 55).

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As to claims 17-20, Sicker discloses said specified media content is streaming text content, IP packets, via an Internet interface and an Internet content provider (see col.4 line 33 to col.5 line 55 and col.8 lines 27-61).

Claims 21-40 are rejected for the same reasons set forth in claims 1-20 respectively.

As to claims 42 and 43, Sicker discloses said PCM signal stream is launched over said circuit switched line interface for delivery to said client user via said circuit-switched network and to a plurality of client users (see col.4 line 33 to col.5 line 55 and col.7 line 48 to col.8 line 45).

Claim 44 is rejected for the same reasons set forth in claim 1. As to the added limitations, Sicker further discloses a service control module (18 fig. I) coupled with said circuit-switched line interface, said service control module operable to solicit, accept and process said requests from a client user over a circuit-switched network and a session control module and coupled to an interface to the internet (13 fig.I) (see fig.I, col.4 line 47 to col.5 line 65 and col.7 line 48 to col.8 line 45) and a PCM signal stream is cell casted to said plurality of client users (see col.4 line 33 to col.5 line 55 and col.6 line 28 to col.7 line 47).

As to claims 45 and 46. Sicker further discloses converting said request by utilizing an audio session gateway protocol into a format recognizable by said content provider and cell casting said PCM signal stream over a plurality of circuit-switched connections (see col.4 line 33 to col.5 line 55 and col.6 line 28 to col.7 line 47).

***Response to Arguments***

4. Applicant's arguments filed on 3/18/2003 have been fully considered but they are not persuasive.

\* Applicant asserts that the Sicher reference does not disclose "receiving, via the first interface, a request for a specified media content available from the content provider".

*Examiner respectfully disagrees. Sicher discloses using an Internet Service Provider (ISP) to provide general access to the Internet and the incorporate intranets (see abstract, col.4 line 47 to col.5 line 20 and col.7 lines 7-58).*

\* Applicant asserts that Sicher reference does not disclose" establishing, responsive to receipt of said request, a session with said content provider to receive said streamed media packets corresponding to said specified media content".

*Examiner points out that Sicher discloses using the protocol translations between a mobile terminal and the server in a TMDA radio telecommunication system (see col.5 line 4 to col.6 line 61 and col.8 lines 27-61).*

- Applicant asserts that Sicher reference does not disclose" wherein said PCM signal stream is cell casted to said plurality of client users".

*Examiner points out that Sicher discloses said PCM signal stream is cell casted to said plurality of client users (using an intermediate PCM conversion for protocol translations, see col.5 line 4 to col.6 line 61 and col.8 lines 27-61).*

#### ***Other prior art cited***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- a. *Kruger et al. US apt. No.6,308,222.*
- b. *Kruger et al. US apt. No6,496,868.*

#### **Conclusion**

- 5. Claims 1-40 and 42-46 are rejected.
- 6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khanh Dinh whose telephone number is (703) 308-8528. The examiner can normally be reached on Monday through Friday from 8:00 A.m. to 5:00 P.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alam Hosain, can be reached on (703) 308-6662. The fax phone numbers for this group are:

After Final: (703) 746-7238

Official: (703) 746-7239

Non-Official/ Draft: (703) 746-7240


A shortened statutory period for reply is set to expire THREE months from the mailing date of this communication. Failure to response within the period for response will cause the application to become abandoned (35 U.S.C. SeSect. 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(A).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305 -9600.

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Khanh Dinh  
Patent Examiner  
Art Unit 2155  
7/7/2003

  
HOSAIN T. ALAM  
PRIMARY EXAMINER